

OIP-E IAPG
JUN 11 2007
PATENT & TRADEMARK OFFICE

I hereby certify that this paper (along with any paper referred to as being attached
Not enclosed) is being deposited with the U.S. Postal Service on the date shown
below with sufficient postage as First Class Mail, in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 8, 2007

Signature: 

(Kevin M. Koehn)

Docket No.: SPINE 3.0-455 CIP CONT III
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Zubok et al.

Application No.: 10/781,506

Group Art Unit: 3733

Filed: February 18, 2004

Examiner: J. Cumberledge

For: INSTRUMENTATION AND METHODS FOR
USE IN IMPLANTING A CERVICALDISC
REPLACEMENTDEVICE

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication is in response to the Official Action mailed February 6, 2007, setting forth a Restriction Requirement in the above-identified application. In the Official Action, the Examiner required restriction to one of the following inventions under 35 U.S.C. §121:

I. Claims 1-13, drawn to an insertion handle, classified in class 15, subclass 147.2.

II. Claims 14 and 15, drawn to an apparatus, classified in class 403, subclass 230.

III. Claims 16-19, drawn to a method, classified in class 606, subclass 53.

Application No.: 10/781,506

Docket No.: SPINE 3.0-455 CIP CONT III

In response, Applicants hereby elect the invention of Group I, corresponding to claims 1-13. Applicants reserve the right to file a divisional/continuation application corresponding to the non-elected claims.

In the event any fee is due in connection with the present response, the Examiner is authorized to charge Applicant's Deposit Account No. 12-1095 therefor.

Dated: June 8, 2007

Respectfully submitted,

By 

Kevin M. Kocan

Registration No.: 54,230
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090

(908) 654-5000
Attorney for Applicants

LD-469\